



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY  
WET 2003-46**

December , 2003

Marguerite Eckles  
44 Eaglemere Road  
Tuftonboro, NH 03816

RE: DES Wetlands File #1999-02444, 44 Eaglemere Road, Tuftonboro

Dear Ms. Eckles:

On September 25, 2003, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Tuftonboro Tax Map 50 as Lot 23 (the "Property"). The purpose of the inspection was to determine if the existing shoreline structures were in compliance with RSA 482-A and NH Code of Administrative Rules Wt 100-700.

During the inspection the following deficiencies were documented:

1. Three stepped decks measuring approximately 7 ft by 12 ft, 7 ft x 15 ft, and 7 ft by 16 ft covering approximately 284 square feet were constructed within the bank of Lake Winnepesaukee. A subsequent review of DES records indicates that no permits have been issued for the decks.

In response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, completely remove all three decks covering approximately 284 square feet; and
2. Within 30 days submit a restoration plan to DES for review and approval. Include the following with the restoration plan:
  - a. A plan with dimensions, drawn to scale, showing existing and proposed conditions after revegetating the bank;
  - b. A detailed description of the proposed means of erosion control (silt fence, hay bales, etc) and stabilization of the restoration area;
  - c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area;
  - d. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date.
  - e. A description of the method of documenting at least 75% survival of all vegetation planted during the restoration project. This should include at a minimum monitoring progress reports for

two successive growing seasons following completion of the restoration project.

3. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Jared A. Teutsch, Shoreline Specialist  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-4054.

Sincerely,

A large, bold, black 'COPY' stamp is placed over the handwritten signature of Collis G. Adams.

Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7000 1670 0000 0585 5017

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen Rule, Administrator, DES Legal Unit ✓  
Tuftonboro Conservation Commission  
Tuftonboro Board of Selectmen  
David Killoy, USACOE